

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

STEVEN BRODY, CHAIM HIRSCHFELD and ) Civil Action No.12-cv-4774-PGS-DEA  
SUZANNE GRUNSTEIN, on behalf of )  
themselves and all others similarly situated, ) Judge Peter G. Sheridan  
)  
Plaintiffs, ) **Notice of Appeal to the**  
vs. ) **U.S. Court of Appeals for the**  
 ) **Third Circuit**  
 )  
 )  
MERCK & CO., INC., f/k/a SCHERING-PLOUGH )  
CORORATION, MSD CONSUMER CARE, INC., )  
f/k/a SCHERING-PLOUGH HEALTHCARE )  
PRODUCTS, INC., MERK SHARP & DOHME )  
CORP., AS SUCCESSOR IN INTEREST TO )  
SCHERING CORPORATION, )  
SCHERING-PLOUGH HEALTHCARE )  
PRODUCTS ADVERTISING CORPORATION, )  
 )  
Defendants. )  
 )

Notice is hereby given that class member Christopher Batman appeals to the United States Court of Appeals for the Third Circuit from the Final Judgment (Dkt. No. 47) and the Final Order Approving Class Action Settlement (Dkt. No. 46) of the United States District Court, District of New Jersey, both entered in this action on March 12, 2013.

Dated: April 10, 2013

Respectfully submitted,

/s/ Samuel J. Myles

Samuel J. Myles, Esq.  
State Bar No. 018712000  
**HOLSTON, MacDONALD, UZDAVINIS,  
ZIEGLER & LODGE, P.A.**  
66 Euclid Street  
Woodbury, NJ 08096  
856-848-5858 (phone)  
856-848-1898 (fax)  
[smyles@holstonlaw.com](mailto:smyles@holstonlaw.com)  
[www.holstonlaw.com](http://www.holstonlaw.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 10<sup>th</sup> day of April 2013 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system thus effectuating service of such filing all ECF registered attorneys in this case. I further certify that I caused the foregoing document to be sent via first class mail to the following participants, at the addresses listed below:

Mitchell Twersky  
Abraham, Fruchter & Twersky, LLP  
One Penn Plaza, Ste. 2805  
New York, NY 10119

John P. Hooper  
David E. Stanley  
Reed Smith LLP  
599 Lexington Avenue  
New York, NY 10022

Gary S. Graifman  
Kantrowitz, Goldhamer & Graifman, P.C.  
747 Chestnut Ridge Road  
Chestnut Ridge, NY 10977

Forrest Scott Turkish  
595 Broadway  
Bayonne, NJ 07002

Robert E. Margulies  
Margulies Wind, P.C.  
Harborside Plaza 10  
3 Second Street, Suite 1201  
Jersey City, NJ 07311-3988

---

/s/ Samuel J. Myles  
Samuel J. Myles, Esq.